

**IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

**Carlton Michael GARY,**

**Plaintiff,**

**v.**

**Brian OWENS, et al.,**

**Defendants.**

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**CIVIL ACTION NO. 5:10-CV-61 (MTT)**

**ORDER**

This matter is before the Court on the Recommendation to Grant (Doc. 32) (the "Recommendation") of United States Magistrate Judge Charles H. Weigle. The Magistrate Judge, having reviewed the Defendants' Motion to Dismiss (Doc. 15) (the "Motion"), recommends granting the Motion because the Plaintiff did not completely exhaust his available administrative remedies before filing this action. The Plaintiff did not file an objection to the Recommendation. The Court has reviewed the Recommendation, and the Recommendation is adopted and made the order of this Court. The Motion is **GRANTED**.

**SO ORDERED**, this the 9th day of March, 2011.

S/ Marc T. Treadwell  
MARC T. TREADWELL, JUDGE  
UNITED STATES DISTRICT COURT